

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADRIAN SCOTT,

Plaintiff,

V.

MANAGEMENT AND TRAINING
CORPORATION, et al.,

Defendants.

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Case No. 6:20-cv-555-JDK-JDL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Adrian Scott, proceeding pro se and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love for findings of fact, conclusions of law, and recommendations for disposition.


Before the Court is Defendants Laura Treadgill, Michelle Daley, and Linda Thomas's motion for summary judgment. Docket No. 20. On September 13, 2021, Judge Love issued a Report recommending that the Court grant Defendants' summary judgment motion and dismiss this case without prejudice for failure to exhaust administrative remedies. Docket No. 27. A copy of this Report was sent to Plaintiff at the address he provided, and Plaintiff acknowledged receipt of the Report on September 16, 2021. Docket No. 28. To date, Plaintiff has not filed objections to the Report.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge’s findings for clear error or abuse of discretion and reviews his legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”).

The Court has reviewed the pleadings in this cause, the briefing on summary judgment, and the Report of the Magistrate Judge. Based on that review, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 27) as the findings of this Court. The Court therefore **GRANTS** Defendants Laura Treadgill, Michelle Daley, and Linda Thomas’s motion for summary judgment (Docket No. 20) and **DISMISSES** Plaintiff’s claims without prejudice for failure to exhaust administrative remedies.

So **ORDERED** and **SIGNED** this **23rd** day of **October, 2021**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE